

# MRS. KNIGHT TAKES HAND IN PARKER RANCH CASE

**Charges Conspiracy by Sam Parker, J. S. and E. Low, F. Wundenberg and Magoon & Lightfoot to Defraud Annie T. K. Parker.**

In the suit of J. S. Low as next friend of Annie Parker, granddaughter of Samuel Parker, to have A. W. Carter removed as guardian of Annie T. K. Parker, Mrs. Knight, mother of the minor, has filed a motion, asking that the petition of J. S. Low be dismissed, upon the following grounds:

**J. S. LOW'S INTERESTS HOSTILE TO MINOR'S.**

1. That said J. S. Low has been and is now representing and has personal and property interests which are hostile to and in conflict with the personal and property interests of petitioner's said minor daughter, and which hostile property and personal interests are necessarily involved in these proceedings;

2. That said J. S. Low, in bringing said suit and prosecuting the same, is a mere intermediary and is not a bona fide next friend of said minor; and is proceeding therein for the purpose of aiding and co-operating with Samuel Parker, Eben P. Low and F. Wundenberg, and J. A. Magoon and Joseph Lightfoot, attorneys for J. S. Low herein, in an attempt on their part to obtain management of the estate of your petitioner's minor daughter in conjunction with the management of the estate of said Samuel Parker, and to secure for the Hamakua Ditch Company, of which said J. S. Low is a stockholder and officer, and of which said Samuel Parker is the chief promoter, for as small a consideration as possible, a right of way over that portion of the land of Paauhau owned exclusively by said minor, and to procure a sale of the fee of said interest of said minor in said land of Paauhau to the Paauhau Plantation Company, terms acceptable to said Paauhau Plantation Company irrespective of the interests of said minor in the premises;

## CONSPIRACY ALLEGED.

3. That said J. S. Low is a party in conspiracy with the said Samuel Parker, Eben Low, Fred Wundenberg, J. A. Magoon and J. Lightfoot, as more particularly hereunder set forth, to make fraudulent and illegal use of the estate of petitioner's said daughter for their own ends and purposes and to promote such ends by procuring the institution of the proceeding for the removal of A. W. Carter from the guardianship of the estate of said minor, or because he is in fact unfit or should be removed as such guardian, but because he is an obstacle to the accomplishment of their plans and purposes aforesaid, and by securing control, direction and management of such proceedings in their own interests and against the interests of said minor by procuring the appointment of said J. S. Low as pretended next friend of said minor with authority to bring said suit, and by securing J. A. Magoon and J. Lightfoot aforesaid the position of attorneys for said minor in said suit.

## MOTHER'S NATURAL RIGHTS.

4. That this petitioner, as the mother of her minor daughter, is her natural guardian and protector, and that this petitioner has no interest whatsoever in conflict with or adverse to the interests of her said daughter nor is she averted or shown to have done ought to forfeit her natural right to have the first say as to who shall control the property rights of her daughter, and that in the exercise of such unimpaired right she emphatically protests against the retention of J. S. Low to act herein as next friend of her minor daughter.

And in support of the foregoing grounds, your petitioner avers:

The petition alleges that the minor is 10 years old;

That the minor's father John P. Parker third died when Annie Parker was seven weeks old;

That petitioner was married to F. S. Knight in 1900.

## WHO SUPPORTED ANNIE PARKER.

Fifth: That for some time subsequent to the death of her husband, John P. Parker the third, your petitioner was not aware that her said daughter was entitled to any share or interest in the Parker Ranch or to any other property through the said John P. Parker the third; That after the death of her husband petitioner resided with Hana Parker widow of John P. Parker, uncle of said Samuel Parker, who was the father of said John P. Parker the third, and that she and her said daughter were supported by her with assistance from petitioner's father, James I. Dowsett, petitioner being allowed by said Hana Parker the sum of \$15.00 per month as expending money for herself and said daughter for clothing and for necessities outside of board and lodging;

## SAM PARKER'S DECEIT.

Sixth: That in 1894 petitioner's attention was called to her daughter's rights in the estate of her father John P. Parker the third by outside parties whereupon petitioner referred the matter to her said father who thereupon made investigations and learned that petitioner's daughter was heir to all of the property devised to the father of said daughter by John P. Parker the second; and in this connection petitioner says that the said Samuel Parker from the date of the death of petitioner's first husband up to the time petitioner was advised that her daughter has large property rights under the will of John P. Parker the second, never

informed petitioner of any such rights, but gave petitioner to understand that neither she nor her said daughter had acquired any property rights through her said first husband.

## SAM PARKER OPPOSED GUARDIANSHIP.

Seventh: That petitioner's father was first appointed guardian of Annie Parker; that after his death petitioner was so appointed, and later, upon her request, A. W. Carter was appointed guardian; that said Samuel Parker contested the appointment of petitioner's father, as such guardian, but without success, due to the opposition of your petitioner to the desires and plans of said Samuel Parker in the premises.

## SAM PARKER'S LACK OF INTEREST IN ANNIE PARKER.

Tenth: That from the death of petitioner's first husband to date, Samuel Parker has taken no steps himself to foster or care for the interests of your petitioner's said daughter, but that all steps that have been taken in her behalf have been initiated or brought about by petitioner and those acting in the interests of her said daughter and exclusive of said Samuel Parker.

## SAM PARKER'S EXTRAVAGANCE AND INCAPACITY.

Eleventh: That petitioner from her knowledge of said Samuel Parker has always favored the management and control of her daughter's property rights by those unconnected with and independent of said Samuel Parker, for petitioner had personal knowledge of the extravagance of said Samuel Parker and of his inability to manage his own property affairs in a discreet and prudent manner. Furthermore petitioner had heard from time to time of suggestions coming from said Samuel Parker casting doubt upon the title of petitioner's daughter to the estate now enjoyed and possessed by her, and that the foregoing reasons have been sufficient in petitioner's mind to require her to adopt a policy in the interests of her daughter adverse to allowing the said Samuel Parker any control in the management or direction of the affairs of her said daughter, although petitioner has at the same time sought to carry out such policy in a way so as to give as little offense as possible to the said Samuel Parker or his relatives and friends;

## FAITH IN CARTER.

Twelfth: That petitioner asked and approved the appointment of A. W. Carter as guardian of her daughter's estate because she believed that the said A. W. Carter could not and would not be controlled, guided or influenced by the said Samuel Parker in the discharge of his duties, and was otherwise a fit and proper person in all respects to receive said appointment and to discharge said trust, which belief your petitioner avers has been fully justified by the results of the work and the conduct of A. W. Carter as such guardian;

## SAM PARKER'S SUDDEN MOVE.

Thirteenth: That reasonably satisfactory relations, everything considered, have been maintained between petitioner and said Samuel Parker until recently when said Samuel Parker, without warning and without any prior complaint to petitioner against said guardian, notified said guardian that he had appointed the said Eben P. Low manager of the Parker Ranch, including the shares of petitioner's daughter therein, and that he, the said Samuel Parker, claimed the right to the exclusive possession and management thereof as surviving partner of a partnership alleged to have existed between him, the said Samuel Parker, and John P. Parker the second aforesaid, petitioner receiving such information while at Waimea aforesaid and simultaneously with the arrival of said Eben P. Low upon the Ranch with authority to take immediate possession thereof, as the manager, under said Samuel Parker, and within twenty-four hours thereafter petitioner also received notice that the said J. S. Low, brother of said Eben P. Low, had instituted a suit before this Court for the removal of A. W. Carter as guardian of the estate of her said daughter;

## NO PREVIOUS CHARGES AGAINST CARTER.

Fourteenth: That this petitioner further says that at no time prior to the institution of said last named suit, or for that matter since, had she received any information whatsoever from the said J. S. Low or from any member of the Parker family that said A. W. Carter had in any way misadvised himself as guardian or otherwise shown himself to be unfit to hold and exercise that trust, nor had said application been prefaced by any suggestion to petitioner by said J. S. Low or any other relation or friend of said Samuel Parker that petitioner was acting against the interests of her daughter in reposing confidence in said guardian;

## NO INTIMACY WITH THE LOWS.

Fifteenth: And further continuing your petitioner says that no such intimate or friendly relations existed between J. S. Low and petitioner's first husband as represented by said J. S. Low in his petition for the removal of said guardian, and alleges the truth to be that petitioner's first husband thoroughly distrusted said J. S. Low and also his brother, the said E. P. Low, and frequently said to petitioner that he had "no use for either of them."

and petitioner says that for many years last past, extending back to a period antedating petitioner's marriage to her first husband, petitioner's relations with said E. P. Low have been of the most formal nature, and that petitioner shared and still shares the feeling that her first husband entertained towards E. P. Low, and while petitioner has had no unfriendly feeling towards J. S. Low, that relations between her and the said J. S. Low have been very limited, and that the said J. S. Low has no justification whatever for claiming any special interest in or friendship for petitioner's daughter. And in proof of this petitioner states that when she and her daughter arrived in Honolulu recently from San Francisco, after three years absence, for the purpose of making a temporary visit in the Islands, and although petitioner and her daughter were in Honolulu ten days after such arrival before going to Waimea, said J. S. Low neither called upon petitioner or her said daughter, though said J. S. Low was well aware of their arrival as aforesaid. And further petitioner says that during her residence in Honolulu with her daughter for over a year prior to her present visit to the Islands, said J. S. Low, though residing in Honolulu, only called but once upon petitioner or her daughter;

## SAM PARKER AND THE LOWS CONSPIRING AGAINST ANNIE PARKER.

Sixteenth: That petitioner is informed and believes, and on such information and belief alleges that strained relations existed between J. S. Low and Eben P. Low until after the return of said E. P. Low from his recent visit to the States, on or about the month of February, A. D. 1904, and that since the said return said J. S. Low and E. P. Low have become reconciled and that both of them have become much more intimate with the said Samuel Parker than formerly; and in this connection petitioner charges that the increased intimacy between J. S. Low and E. P. Low and Samuel Parker has arisen out of the concerted plans on their part to secure possession of the Parker Ranch as aforesaid against the interests of said minor;

## LOW AN OFFICER AND STOCKHOLDER OF THE HAMAKUA DITCH COMPANY.

Seventeenth: That petitioner has ascertained and learned since the institution of the suit of J. S. Low aforesaid, and charges it to be a fact, that said J. S. Low at the time of the institution of said suit was and ever since has been an officer of the Hamakua Ditch Company, and a stockholder therein, and that said Ditch Company is seeking a right of way for a ditch across that portion of the land of Paauhau in the district of Hamakua, Island of Hawaii aforesaid, owned exclusively by said minor, and further that said J. S. Low is interested in promoting the sale of said land of Paauhau, owned by the minor as aforesaid, to the Paauhau Plantation Company in the interests of said company, and that it is to the interests of said Ditch Company that said Paauhau Plantation Company should secure the fee of the last named land on terms satisfactory to said Paauhau Plantation Company, whether the same are for the best interests of said minor or not; and that said J. S. Low, prior to the bringing of said suit, was promoting and aiding the attainment of the ends aforesaid whereby said Hamakua Ditch Company should acquire a right of way across said Paauhau and whereby said Paauhau Plantation Company should acquire the fee of said minor's land of Paauhau. And in this connection petitioner is informed and believes and alleges upon such information and belief that said Samuel Parker is the chief promoter of the Hamakua Ditch Company and has large interests in the same, and that said J. S. Low and said Samuel Parker have acted in unison and in concert in promoting the acquisition of said right of way and the sale of said Paauhau land, it being directly for the interests of said Samuel Parker that said plans should be carried out;

## J. S. LOW ASSISTING SAM PARKER.

Eighteenth: That petitioner further says that said J. S. Low has assisted and is now assisting said Samuel Parker in the efforts of said Samuel Parker to secure possession of the entire Parker Ranch as aforesaid, including the interests of petitioner's daughter therein, and though assuming to act as next friend of said minor is acquiescing and assenting to the contention of Samuel Parker that he is the sole surviving partner of a partnership claimed by him to have existed between him and the said John P. Parker the second as heretofore alleged and set forth;

## COLLUSION AND FRAUD BETWEEN LOW AND PARKER.

Nineteenth: That petitioner understands that the effect of conceding such claim on the part of said Samuel Parker would be to deprive said minor through her guardian or otherwise of the possession or immediate control of her interests in said Parker Ranch, and that said interests would thereupon have to be subordinate to the possession and management of said Samuel Parker, who would exercise exclusive management of the alleged purpose of winding up the affairs of the partnership alleged by the said Samuel Parker to have existed between him and the said John P. Parker the second as aforesaid. And your petitioner says that such claim on the part of said Samuel Parker is against the interests of her daughter and would, if carried out, work great and irreparable injury to the same, and charges that said J. S. Low in already conceding said claim on the part of said Samuel Parker is acting collusively and fraudulently with said Samuel Parker against the interests of said minor and in direct violation of the obligations imposed upon him, the said J. S. Low, as next friend of said minor, and that if the control of her daughter's interests shall come into the hands of said J. S. Low, or under his control, and the opportunity offers itself to do so, that the said J. S. Low is likely to act upon the concession already made by him and

to surrender all claim on the part of said minor to the management of her interests in the Parker Ranch to said Samuel Parker; and petitioner charges that the aim and purpose of said J. S. Low in pursuing the course above outlined is to promote his own private interests and those of said Samuel Parker against the interests and the rights of said minor. And petitioner is advised by those learned in law that upon the indisputable facts relating thereto there is no merit whatsoever in the contention of said Samuel Parker that, as surviving partner, he is entitled to the exclusive management and possession of said Parker Ranch; and that there is nothing to justify said J. S. Low in conceding, as he does, in his suit for the removal of A. W. Carter as guardian of said minor any such contention on the part of said Samuel Parker;

## HIND, ROLPH & CO.

Twentieth: That petitioner is informed and believes and on such information and belief avers that the agency of the Parker Ranch prior to the institution of said suit by said J. S. Low as aforesaid, was promised to Hind, Rolph & Co., a business firm of the City of Honolulu, of which firm said J. S. Low is manager. It said suit instituted by said J. S. Low terminated successfully, and said guardian was removed. And that the said J. S. Low secured the promise of said agency by lending himself to the efforts of said Samuel Parker to obtain possession of said Ranch as aforesaid and to the efforts of said E. P. Low, his brother, to acquire the management thereof; and that one of the motives of said J. S. Low in seeking the appointment of next friend of petitioner's daughter and leave to institute said suit against said A. W. Carter is to promote and advance his own interests as manager of Hind Rolph & Co. and without regard or consideration for the interests of said minor; and to place himself where he can be of use to said Samuel Parker and his brother in promoting their plans.

## COLLUSION WITH WUNDENBERG.

Twenty-first: And your petitioner, to illustrate how said J. S. Low, E. P. Low, Fred Wundenberg and Samuel Parker are acting in concert, although the said J. S. Low is supposed to be representing the interests of said minor and the said Samuel Parker, E. P. Low and Fred Wundenberg the interests of said Samuel Parker, further shows upon information and belief that the said J. S. Low in searching through the records in this court in the matter of the guardianship of her daughter for material to use against said guardian was accompanied by the said Fred Wundenberg and assisted in said search by him.

## COLLUSION WITH E. P. LOW.

In this connection petitioner further shows that the said J. S. Low in a letter dated on or about July 1st, 1904, recently appointed said E. P. Low to examine the books of the Parker Ranch as the representative of said J. S. Low acting as next friend of petitioner's daughter with authority to prepare and secure evidence therefrom to support said suit of said J. S. Low against said A. W. Carter, although at the time said E. P. Low was thus commissioned to represent and act for and in the interests of said minor he, the said E. P. Low, was working to deprive said minor of the possession and direct management of her interests in the Parker Ranch, and had demanded of A. W. Carter, guardian of said minor, the surrender to him, the said E. P. Low, of the entire Parker Ranch as the representative of said Samuel Parker; and that said E. P. Low at the time of his appointment by his brother, J. S. Low, as aforesaid had been named and was a defendant in the partition proceedings brought by A. W. Carter as guardian of said minor in the Circuit Court of the Third Judicial Circuit wherein said E. P. Low was restrained by injunction from interfering with the possession of said A. W. Carter, guardian of said minor, of said Parker Ranch;

## MORE CONSPIRACY.

Twenty-second: Your petitioner is further informed and believes and upon such information and belief alleges that recently, to wit, during the year 1903 the said Samuel Parker and Fred Wundenberg, as his agent and trustee, and the said E. P. Low sought to obtain the fee simple of the land of Waikoloa then under lease to the Parker Ranch, to the exclusion of said minor and so as to prevent said minor from participating or sharing in the acquisition of said land according to her interests in the Parker Ranch; and upon such information and belief petitioner alleges that the said Samuel Parker and Fred Wundenberg conspired with the said E. P. Low to accomplish that result, and that it was not the plan and purpose to let said minor, as co-owner of said Ranch, into an equal share of Waikoloa, if the same had been acquired by him, the said Samuel Parker, or for him, and to that end Samuel Parker was aiding and abetting the acquisition of said land of Waikoloa in the name of said E. P. Low; that when said E. P. Low learned that said A. W. Carter, guardian, had obtained the written pledge of the owners of Waikoloa to convey the same to him, said E. P. Low tried to persuade the owners of said Waikoloa Ranch to back out of such agreement and to repudiate the same, and offered a large sum to said owners in excess of the agreed price if they would convey the same to him rather than to said A. W. Carter for the Parker Ranch; and failing to accomplish this result he used threats to effect the same, but without avail. That when said sale was effected to said Samuel Parker and said minor, he, the said Samuel Parker, borrowed from Eben P. Low the money, that is, \$50,000.00 to pay for his half of the purchase price of said land, giving a mortgage to said E. P. Low for the same upon his interest in said Waikoloa so purchased, which mortgage remains unpaid and undischarged to this day; and since said date the said E. P. Low has loaned an additional sum of \$10,000.00 to said Samuel Parker, which as petitioner is informed and believes, remains unpaid.

## LOW A CREDITOR OF SAM PARKER.

Twenty-third: And your petitioner charges and says that by the loan of money to said Samuel Parker that said E. P. Low has acquired a hold upon said Samuel Parker which has never since been relaxed and that from the time said loan was made said E. P. Low and Samuel Parker have conspired and planned together to secure exclusive control of said Ranch under the management of said E. P. Low; and petitioner charges that one of the chief considerations for the loan of said money to said Samuel Parker by said E. P. Low, was the consent and acquiescence of said Samuel Parker to such plan, and that the bringing of the suit by J. S. Low, the brother of E. P. Low, to remove said A. W. Carter as guardian, is but one step towards effectuating said plan originated as aforesaid between said Samuel Parker and Eben P. Low.

## E. P. LOW'S SCHEMES.

Petitioner further charges that the carrying out of said plan whereby said E. P. Low is seeking to be installed as manager of said Parker Ranch, including the interests of said minor is not intended to promote the interests of either said Samuel Parker or said minor in said Ranch, but it is intended to promote the private interests and ambitions of E. P. Low and to enable him to entrench himself upon said Ranch in such a way as ultimately to acquire ownership therein; and in this connection petitioner says upon information and belief that said E. P. Low at times when doubtful of his ability to promote his plans aforesaid through said Samuel Parker, and fearing that he, the said Samuel Parker, might convey the same away, has urged the relatives of said Samuel Parker to put said Samuel Parker under guardianship as a spendthrift and one without the mental capacity to care for his own property, such steps being urged as a means of blocking any possible sale by said Samuel Parker of his interest in the Parker Ranch to third parties.

## J. S. LOW'S INTERESTS HOSTILE TO MINOR.

Twenty-fourth: The petitioner further says that the question of the right of way of the said Hamakua Ditch Company over said land of Paauhau and sale of the fee of said Paauhau to the said Paauhau Plantation Company is still open and undecided, and that the said J. S. Low is still aiding the accomplishment of both these propositions in the interests of and on the most reasonable terms practicable for the said Hamakua Ditch Company and the said Paauhau Plantation Company. That his interests lie in delaying and undervaluing the said property of said minor and in taking any other steps that will promote the securing of said right of way over said land from said minor upon terms satisfactory to the Hamakua Ditch Company, in which J. S. Low is an officer and stockholder as aforesaid. And that all said issues are still pending and yet to be decided, and it is against the interests of petitioner's daughter that said J. S. Low should have a voice and control in the affairs of said minor or that he should be permitted to represent her in any way.

## COLLUSION BETWEEN THE LOWS.

Twenty-fifth: The petitioner says that the said J. S. Low instituted suit for the removal of the said A. W. Carter simultaneously with the taking of active steps by his brother E. P. Low to acquire immediate control and management of the Parker Ranch and when said A. W. Carter as guardian of said minor was upon said Parker Ranch for the purpose of defending the possession of petitioner's daughter against the aggressions and demands of said E. P. Low; and that the bringing of such suit to remove said guardian at the time said E. P. Low was preparing to take and assume management and control of the Parker Ranch, was designed to embarrass said A. W. Carter in defending the rights of petitioner's daughter against the said E. P. Low at Waimea aforesaid.

## J. S. LOW A SERVANT AND TOOL.

Twenty-sixth: Petitioner further represents that the struggle for the possession of said Parker Ranch by E. P. Low and Samuel Parker against A. W. Carter, guardian of petitioner's daughter, is still on and undecided, as is also the contest between said E. P. Low and Samuel Parker on the one part and A. W. Carter, guardian of petitioner's daughter, on the other part, on the question whether the said Samuel Parker has any rights to the possession and management of said Ranch as surviving partner as aforesaid, and that under these conditions and with these issues still pending, it is unfair and dangerous to the rights of said minor that said J. S. Low should be allowed to manipulate and control said minor's rights and interests as her next friend when, in truth and in fact, he is the servant and tool of said Samuel Parker and E. P. Low and must and will utilize his power of control in the affairs of said minor in the interests of and as directed by the said Samuel Parker and J. S. Low; and petitioner asserts that it is for the interests of her daughter that she and those who represent her should retain immediate possession and control of her interests in said Ranch and that the same should not be surrendered to the control and management of either Samuel Parker or E. P. Low or any other party connected with said Samuel Parker or E. P. Low.

## MAGOON AND LIGHTFOOT'S END OF THE CONSPIRACY.

Petitioner further shows in this connection that the attorneys selected by said J. S. Low to secure for him the authorization from this Court to act as next friend for petitioner's daughter and to prosecute said suit for the removal of said A. W. Carter as guardian, to wit, said J. A. Magoon and Joseph Lightfoot, were also the attorneys for said Samuel Parker and said E. P. Low in the recent attempt on the part of Samuel Parker and E. P. Low to take immediate possession and management of said Parker Ranch to the exclusion of said minor, and that said Joseph Lightfoot accompanied said E.

# COMPROMISE IS REACHED

**Interesting Matters in Saturday's Court Record.**

(From Sunday's Advertiser)

After several days of hearing before Judge De Bolt, an amicable settlement of the contest over the Kaaua estate was reached yesterday. The property is \$5000 in cash. This is the case in which Malanu, an aged Hawaiian, testified he was born the month and year that the "alooses" arrived, meaning the New England missionaries in 1820 so nicknamed by the old natives. The literal translation of the word is "longnecks," as Interpreter Hopkins explained to the amusement of the court and audience. Under the compromise E. K. Lilikalanani is to receive \$850 and the three other claimants the balance in equal shares. W. A. Whiting and C. F. Peterson appeared for Lilikalanani, Frank Andrade for Peter Kaula, J. J. Dunne for Kalaekokoi and Atkinson, Judd & Mott-Smith for Mele Hapuku.

## THE BOARDMAN ESTATE.

On the report of P. Danson Keliell Jr., master, the final account of Cecil Brown, administrator of the estate of George E. Boardman, deceased, was approved by Judge De Bolt. The receipts were \$21,760.05 and payments \$21,550.15, leaving a cash balance of \$209.90. The appraised value of the estate, real and personal, was \$50,393.35. Among the receipts were \$10,684.11 life insurance and \$8824.90 fire claim. Two of the items of disbursement were \$7000 to release a mortgage and \$2808.85 to pay notes and I. O. U.s. Legacies paid were \$500 each to Addie L. Newton and Mrs. Georgia A. Charlian, cousins, and Morlinga Tsune and Hatsuhiro Miyamoto, servants of deceased. Personal property valued at \$732.70 had been delivered to Louise K. Dods (formerly Boardman), adopted child of deceased, under the will, all of which excepting jewelry, ornaments and silverware valued at \$472.70 are now in possession of Mrs. Dods or her mother by her direction. The will devised a house and lot in Kinau street absolutely to Louise K. Boardman (since Mrs. Dods) and the remainder of the real estate in trust for paying the income thereof to her for life and at her death to be conveyed to her lawfully begotten issue, and in the event of such not surviving the devise the issue of such to take the share of the parent. In the event of the death of Louise K. Boardman without leaving issue or the children of such, the entire trust estate is to go to her heirs general by right of representation. Cecil Brown was appointed administrator, on the nomination of Louise K. Boardman, when W. A. Whiting and S. B. Rose had resigned as executor named in the will.

P. Low to Waimea aforesaid to enforce said demands; that said Magoon & Lightfoot are also the regular attorneys of said E. P. Low in the management of his own affairs and interests aside from his position as manager and agent for Samuel Parker; that said Magoon & Lightfoot are also attorneys for Samuel Parker in the suit in Equity now pending in this Circuit wherein Samuel Parker is plaintiff and the said A. W. Carter is defendant and wherein said Samuel Parker seeks the disposssession of said Carter of said Parker Ranch on the plea and under the claim that said A. W. Carter received possession of said Ranch and managed the same solely as agent, servant and employee of the said Samuel Parker, and wherein the said Samuel Parker in no way recognizes the right of said minor to share in the possession and management of said Parker Ranch and wherein the said Samuel Parker fails to recognize and in fact repudiates the guardianship of said A. W. Carter in the matter of the possession and control of said Parker Ranch; that said Magoon & Lightfoot are also the regular attorneys of Fred Wundenberg aforesaid, and that said Fred Wundenberg holds the Power of Attorney of said E. P. Low and has acted thereunder. And petitioner charges that said Magoon & Lightfoot while accepting employment from said minor through said J. S. Low as her next friend, are in fact acting as the agents of said Samuel Parker and the said E. P. Low and Fred Wundenberg, and that the control and direction of the said guardianship suit by reason of the premises is now in the hands of those who are hostile to the interests of said minor and ready to sacrifice the same wherever they come in conflict with their own interests as above set forth.

## THE PUULOA RANCH AFFAIR.

Twenty-seventh: Petitioner says that A. W. Carter, guardian as aforesaid, recently acquired for said minor and said Samuel Parker, as owners of the Parker Ranch, the property and assets of the Puuloa Sheep Station, located within the confines of the said Parker Ranch; that said E. P. Low sought to prevent said guardian from acquiring said property, and after the same had been bid in by said guardian for said Parker Ranch at a public auction of the same held by order of this Court, attempted to initiate proceedings to set aside said sale; and that said Fred Wundenberg while acting as trustee for said Samuel Parker and at the same time under Power of Attorney for said E. P. Low, did, as petitioner is informed and believes, and on such information alleges, aid and abet the said E. P. Low in his attempts to prevent said guardian from perfecting his title to the property bid by him as aforesaid for said Parker Ranch.